

REMARKS

The Office Action rejected claims 1-4, 6-8, 10, 13-16, 18-21, 23-25, 28-35, 37, and 38 under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,785,708 to Busey *et al.* The Office Action also rejected claims 5, 9, 17, 22, 26, 36, and 39 as being unpatentable over Busey in view of Parker *et al.* (US 2003/0074404 A1), and claims 11, 12 and 27 as being unpatentable over Busey in view of Helmick *et al.* (U.S. Patent No. 6,674,992), each under 35 USC §103(a). Entry of this amendment, reconsideration of the claims and allowance of the application are respectfully requested.

Drawing Objection

The drawings were objected to on grounds that Figures 2-4 reflected figures which were too dark and/or contained a small font. Applicants respectfully submit that the shading and text of the aforementioned drawings are adequately legible or clear in the form filed, but may appear darkened or less distinct due to the file scanning process applied to the Patent Office file. However, updated drawings with correction in accordance with the Examiner's objection will be provided as appropriate upon allowance of this application.

Rejection of Claims under 35 USC §102(b) and §103(a)

Claim 1 recites a "messaging system" a "messaging client" which presents a "dialog interface" to at least two participating users. In conjunction with that, the system also includes a "media viewer" which communicates with the messaging client, that viewer "selectively presenting a set of shared media objects under control of at least one" of the users. Moreover, according to the invention as claimed the "set of shared media objects" are likewise "selectable for selective display to at least one other user by the user having control." According to embodiments of the invention, those shared media objects

may be or include digital photographs, images or other files or content which may be accessed and selected by the user retaining control in the messaging system, and manipulated for display to one or more of the remaining users under that user's control. Thus individual photographs or other files or objects, whole groups of photographs or other files or objects, selective photographs or other files or objects, or combinations of that content may be delivered to or displayed on the media viewer of at least one other user or users, who may in embodiments enter into chat dialogue while viewing that content.

Busey discloses a communications system in which a chat channel, such as a typed dialogue or IRC (Internet Relay Chat)-type interface, is coupled with a browser type window or tool. Chat and HTTP (hyper text transfer protocol) browsing may therefore take place in a synchronized manner. In the conduct of the type of chat session taught by Busey, one user may suggest or transmit to another user a HTTP link in the chat channel. *See e.g.* Fig. 4B, action 416. That user may elect to click or activate the embedded link, which may navigate the user to a Web site, chat connection or other destination, such as a repair service chat link as illustrated.

However Busey fails to identically teach the inventive messaging system as claimed, including to describe a system in which a "set of shared media objects" are "selectable for selective display to at least one other user by the user having control." That is, according to the claimed invention in one regard, the user retaining control may freely, independently or selectively choose photographs or other media objects for "selective display to at least one other user", manipulating which photographs or other objects appear on the screens or other displays of at least one other user or users. In the platform of Busey, in contrast, apparently a user having control, such as a service

representative stationed in a chat channel, may simply transmit or communicate HTTP links to other participating users, but can not effect the selection or activation of that link to produce another Web page or other destination on the other user's screen, without that user's intervention. Therefore even assuming that HTML content such as that contained in a Web page may constitute a "set of shared media objects" as suggested in the Office Action, that content is not "selectable for selective display to at least one other user by the user having control", him or herself. The remote user themselves must make a further selection or activation to cause further material to be displayed.

Moreover, the user in control of the chat connection in the reference can not separately select a "set of shared media objects" as in the claimed invention, "selectable for selective display to at least one other user by the user having control". Rather, apparently the user in control in that reference would be limited to inserting HTTP links into chat dialogues, which links presumably link to Web servers containing Web page content which that user would be powerless to select from or control. Lacking these and other limitations of the invention as claimed, Busey does not identically disclose the messaging system recited in claim 1, and the rejection of that claim under §102 based on that reference is overcome.

The Office Action rejected claims 2-4 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 1 from which they depend, as well as the further specific limitations recited therein. For instance claim 4 recites that the "set of shared media objects" which are controlled in the fashion noted in claim 1 comprise a "set of graphical images", which type of images Busey does not teach the control or manipulation of by the user retaining control.

Lacking these and other recited features, the rejection of claims 2-4 under §102 as being anticipated by Busey is also overcome.

The Office Action rejected claim 5 as being rendered obvious under §103 by Busey in view of Parker. Even if properly combinable, Parker discloses a video connection platform in which still images may be shared in a video-enabled telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 5 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 1 from which it depends even if that combination were proper, and the rejection of that claim under §103 is overcome.

The Office Action rejected claims 6-8 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 1 from which they depend, as well as the further specific limitations recited therein. For instance claim 7 recites a “selector tool” which presents the “set of shared media objects” which are controlled in the fashion noted in claim 1 for “mutual viewing by the users”. Busey does not teach the use of such a tool for control, manipulation or display of a “set of shared media objects”. Lacking these and other recited features, the rejection of claims 6-8 under §102 as being anticipated by Busey is also overcome.

The Office Action rejected claim 9 as being rendered obvious under §103 by Busey in view of Parker. Once more even if properly combinable, Parker merely discloses a video transmission platform in which still images may be shared in a video-enabled telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to

at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 9 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 1 from which it depends, even if that combination were proper, and the rejection of that claim under 103 is overcome.

The Office Action rejected claim 10 as being anticipated by Busey under §102. Claim 10 distinguishes over the cited reference for at least the same reasons as claim 1 from which it depends, as well as the further specific limitations recited therein. For instance claim 10 recites that the “set of shared media objects” comprise “at least one of an audio sample and a video clip”, which type of objects the reference does not describe as being controlled in the manner recited in claim 1. Lacking these and other recited features, the rejection of claim 10 under §102 as being anticipated by Busey is overcome.

The Office Action rejected claims 11 and 12 as being rendered obvious under §103 by Busey in view of Helmick. Helmick discloses an online document sharing platform for educational purposes, but no more of the claimed invention than Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claims 11 and 12 distinguish over the nominal combination of Busey and Helmick for at least the same reasons as claim 1 from which they depend even if that combination were proper, and the rejection of that claim under 103 is overcome.

The Office Action rejected claims 13-16 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 1 from which they depend, as well as the further specific limitations recited therein.

For instance claim 15 recites an “optimized loader” which selectively loads media objects “to increase response time”, a feature Busey does not teach or suggest. Lacking these and other recited features, the rejection of claims 13-16 under §102 as being anticipated by Busey is also overcome.

The Office Action rejected claim 17 as being rendered obvious under §103 by Busey in view of Parker. Again even if properly combinable, Parker merely discloses a video transmission platform in which still images may be shared in a video telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, using a “slideshow tool” as recited or otherwise. Lacking these and recited features of the claimed invention, claim 17 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 1 from which it depends, even if that combination were proper, and the rejection of claim 17 under §103 is overcome.

Claim 18 recites a “communications method” a “messaging client” including presenting a “dialog interface” to at least two participating users “via a messaging client”, and “selectively presenting a set of shared media objects under control of at least one” of the users. Moreover, according to the invention as claimed the “set of shared media objects” are likewise “selectable for selective display to at least one other user by the user having control.” Therefore according to the inventive method individual photographs or other files or objects, whole groups of photographs or other files or objects, selective photographs or other files or objects, or combinations of that content may be delivered to or displayed on the media viewer of at least one other user or users. Those users may in embodiments enter into chat dialogue while sharing or viewing that content.

Busey as discussed above discloses a chat-type channel which is coupled with a browser type window or tool, in which typed dialogue may be presented along with a browser window in a synchronized manner, which may include inserted HTTP links in the chat channel. (*See e.g.* Fig. 4B, action 416). The user who is the recipient of the link may elect to click or activate the embedded link to navigate to a Web site, chat connection or other destination.

However Busey again fails to identically teach an inventive communications method as claimed, including to describe a system in which a “set of shared media objects” are “selectable for selective display to at least one other user by the user having control.” Again, according to the claimed invention in one regard the user retaining control may freely, independently or selectively choose photographs or other shared media objects for “selective display to at least one other user”, manipulating the content displayed on the screens or other displays of at least one other user or users. Busey in contrast teaches that a user in a chat channel may simply transmit or communicate HTTP links to other participating users to invite them to activate those links. That user however can not effect the selection or activation of that link to transport that other user another Web page or other destination on the other user’s screen, without that other user’s intervention. Therefore any HTML content described by Busey, even if it is assumed to constitute a “set of shared media objects” as suggested in the Office Action, is not “selectable for selective display to at least one other user by the user having control”. Access or viewing requires further selection or activation by the recipient.

Moreover, the user in control of the chat connection in the reference can not him or herself separately select a “set of shared media objects” as in the claimed invention, “selectable for selective display to at least one other user by the user having control”

since HTTP links presumably link to other Web servers containing Web page content which that user does not select from or control. Lacking these and other limitations of the invention as claimed, Busey does not identically disclose the inventive method recited in claim 18, and the rejection of that claim under §102 based on that reference is overcome.

The Office Action rejected claims 19-21 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 18 from which they depend, as well as the further specific limitations recited therein. For instance claim 21 recites that the “set of shared media objects” which are controlled in the fashion noted in claim 1 comprise a “set of graphical images”, which type of images or files Busey does not describe being controlled or manipulated by the user retaining control. Lacking these and other recited features, the rejection of claims 19-21 under §102 as being anticipated by Busey is also overcome.

The Office Action rejected claim 22 as being rendered obvious under §103 by Busey in view of Parker. Even if properly combinable, Parker discloses a video connection platform which transmits still images in a video-enabled telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 22 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 18 from which it depends even if that combination were proper, and the rejection of that claim under §103 is overcome.

The Office Action rejected claims 23-25 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as

claim 18 from which they depend, as well as the further specific limitations recited therein. For instance claim 24 recites a “selector tool” which presents the “set of shared media objects” which are controlled in the fashion noted in claim 18 for “mutual viewing by the users”. Busey does not teach the use of such a tool for control, manipulation or display of a “set of shared media objects”. Lacking these and other recited features, the rejection of claims 23-25 under §102 as being anticipated by Busey is also overcome.

The Office Action rejected claim 26 as being rendered obvious under §103 by Busey in view of Parker. Again even if properly combinable, Parker merely discloses a video transmission platform capable of transmitting still images in a video-enabled telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 26 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 18 from which it depends even if that combination were proper, and the rejection of that claim under 103 is overcome.

The Office Action rejected claim 27 as being rendered obvious under §103 by Busey in view of Helmick. Helmick’s online educational sharing platform discloses no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 27 distinguishes over the nominal combination of Busey and Helmick for at least the same reasons as claim 18 from which it depends even if that combination were proper, and the rejection of that claim under 103 is overcome.

The Office Action rejected claims 28-31 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 18 from which they depend, as well as the further specific limitations recited therein. For instance claim 31 recites a step of executing an “optimized loader” which selectively loads media objects “to increase response time”, an enhancement or feature Busey does not suggest. Lacking these and other recited features, the rejection of claims 28-31 under §102 as being anticipated by Busey is likewise overcome.

Claim 32 recites a “set of shared media objects”, those objects being generated via a method including “presenting a dialog interface” to users via a “messaging client”, and “executing a selector tool”, that tool “selecting a set of media objects to share” to the users under control of at least one of the users, the set of media objects being “selectable via the selector tool for display to at least one other user by the user having control.” The system of Busey again teaches HTTP links generated in a chat channel dialogue which do not in themselves represent a “selector tool” as recited, nor that any media content being displayed is in any way “selectable via the selector tool for display to at least one other user by the user having control”, him or herself. Again that content in the system of the reference is presumably accessed from a remote Web server or other source but not controlled or selected by the user retaining chat control.

The Office Action rejected claims 33-35 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 18 from which they depend, as well as the further specific limitations recited therein. For instance claim 35 recites that the set of “shared media objects” comprise “at least a set of graphical images”, which media Busey does not teach being selectively

manipulated by the user retaining control. Lacking these and other recited features, the rejection of claims 33-35 under §102 as being anticipated by Busey is overcome.

The Office Action rejected claim 36 as being rendered obvious under §103 by Busey in view of Parker. Again even if properly combinable, Parker merely discloses a video transmission platform capable of transmitting still images in a video-enabled telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the claimed invention, claim 36 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 32 from which it depends even if that combination were proper, and the rejection of that claim under 103 is overcome.

The Office Action rejected claims 37 and 38 as being anticipated by Busey under §102. Those claims distinguish over the cited reference for at least the same reasons as claim 32 from which they depend, as well as the further specific limitations recited therein. For instance claim 37 recites that “at least one of the users maintains control of the set of the shared media objects” via a “transmissible control object” which configuration Busey does not teach or suggest. Lacking these and other recited features, the rejection of claims 37 and 38 under §102 as being anticipated by Busey is overcome.

The Office Action rejected claim 39 as being rendered obvious under §103 by Busey in view of Parker. Again, even if properly combinable Parker merely discloses a video transmission platform capable of transmitting still images in a video telephony call, but no more of the claimed invention that Busey, including no teaching of a “set of shared media objects” which are “selectable for selective display to at least one other user by the user having control”, or otherwise. Lacking these and recited features of the


claimed invention, claim 39 distinguishes over the nominal combination of Busey and Parker for at least the same reasons as claim 32 from which it depends even if that combination were proper, and the rejection of that claim under 103 is overcome.

CONCLUSION

Claims 1-39 distinguish over Busey, Parker, Helmick and other art of record for at least the reasons noted above. The application is consequently in condition for allowance, and applicants respectfully request entry of this Amendment and acknowledgment of the same by Notice of Allowance. Should however any issues remain before the issuance of this application, the Examiner is urged to contact the undersigned to expedite the resolution of the same. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.108795.

Respectfully submitted,

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Scott D. Balderston
Reg. No. 35,436
SHOOK, HARDY & BACON L.L.P.
2555 Grand Blvd.
Kansas City, Missouri 64108-2613
Phone (816)474-6550/Fax (816)421-5547